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April 23, 2014

**VIA OVERNIGHT MAIL AND ECF**

Honorable Robert E. Gerber  
United States Bankruptcy Judge  
United States Bankruptcy Court  
One Bowling Green  
New York, New York 10004

**Re: In re Motors Liquidation Company, et al. (Case No. 09-50026 (REG))**

Dear Judge Gerber:

This firm represents, along with co-counsel Robinson Calcagnie Robinson Shapiro Davis, Inc. and Hagens Berman Sobol Shapiro, LLP, certain plaintiffs, individually and as putative Nationwide and California Class Representatives (collectively, the “Plaintiffs”), that have filed class action complaints against General Motors LLC (“New GM”) relating to the ignition switch defect.

I write in response to Your Honor’s Endorsed Order, signed on April 22, 2014, scheduling a conference, on-the-record, in Your Honor’s courtroom on May 2, 2014 (the “May 2nd Conference”) to discuss the logistics of the Motion to Enforce (defined below), including, among other things, establishing an appropriate briefing schedule and fixing a date and time for hearing.

On April 22, 2014, the Plaintiffs filed a response [Docket No. 12629] to New GM’s motion (the “Motion to Enforce”), dated April 21, 2014 [Docket No. 12620], seeking to permanently enjoin the Plaintiffs from asserting certain claims against New GM pursuant to the Court’s July 5, 2009 Sale Order, approving the sale of substantially all of the assets of Motors Liquidation Company, f/k/a General Motors Corp. (“Old GM”) to New GM.

In compliance with the Endorsed Order, I hereby advise the Court that I wish to be heard at the May 2nd Conference on behalf of the Plaintiffs. Further, as set forth in the Objection, the Plaintiffs identify the critical issues to be determined in connection with the Motion to Enforce to be as follows:

- (i) whether the Plaintiffs are bound by the Sale Order and the Confirmation Order, together with the releases, exculpation and injunctions contained therein, notwithstanding Old GM’s failure to provide the Plaintiffs with the notice required by law;
- (ii) whether New GM can provide disparate treatment of equal creditors as a matter of law, given the absence of adequate notice to the Plaintiffs; and

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Honorable Robert E. Gerber  
United States Bankruptcy Judge  
April 23, 2014  
Page 2

- (iii) whether Old GM and New GM committed fraud on the Court, and if so, the appropriate remedy so as to afford Plaintiffs the right to pursue their claims against New GM in a court of competent jurisdiction.

Further, in accordance with the Endorsed Order, I request that the May 2nd Conference agenda include preliminary views of the Plaintiffs, Old GM and New GM on an appropriate discovery and briefing schedule for this matter.

Relatedly, the Plaintiffs are preparing informal discovery requests to Old GM and New GM relating to these issues and other issues relevant to the Motion to Enforce, to be served in advance of the May 2nd Conference.

Mindful of Your Honor's recognition in the Endorsed Order that many interested parties will share similar positions and to heed Your Honor's instructions in the Case Management Order to avoid duplication of papers and presentations before the Court, I sent an invitation this morning to counsel for each of the actions listed on Schedule 1 to the Motion to Enforce to meet at Brown Rudnick's New York office on April 28, 2014 either in person or telephonically, to discuss coordination among interested parties for the May 2nd Conference and litigation related to the Motion to Enforce. Additionally, counsel for the Plaintiffs invited counsel for New GM to meet with participants at Brown Rudnick's New York office later that day. Following the meeting, the matters for the May 2nd Conference agenda may be collectively, or individually, refined.

Respectfully submitted,



Edward S. Weisfelner

cc: Mark P. Robinson, Jr.  
Steve W. Berman  
Arthur Steinberg  
Richard C. Godfrey